

Before the
Federal Communications Commission
Washington, D.C. 20554

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| In the Matter of |) | |
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| Application of IWRelay, Inc. for Certification |) | |
| To be Compensated from the Interstate |) | CG Docket No. 03-123 |
| Telecommunications Relay Service Fund |) | |
| For Providing Video Relay Service and IP Relay Service |) | |

Application of IWRelay, Inc.
For Certification as a Video Relay Service
and IP Relay Service Provider

Jeff Born
President
IWRelay, Inc.
104 W 12200 S
Draper, UT 84020

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Application of IWRelay, Inc.
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IWRelay, Inc. (Applicant or IWRelay), in accordance with the Commission's rules, Requirements for VRS and Internet Protocol (IP) Relay Provider FCC Certification, as set forth in 47 C.F.R. §64.606(a)(2), hereby petitions the Commission in applying for certification recognizing that IWRelay, Inc. be eligible for direct compensation from the Telecommunications Relay Service (TRS) Fund for the provision of Video Relay Services (VRS) and Internet Protocol Relay (IP Relay).

It is the intent of this application to represent to the Commission that IWRelay has and continues to meet and exceed the Commission's Mandatory Minimum Standards providing relay services as considered in 47 C.F.R. §64.604, §64.605, §64.606, §64.611 and 52.34 of the Commission's rules. Further, that the Applicant has met and continues to meet or exceed the Commission's non-waived Mandatory Minimum Standards for providing Relay Service. Also, that it complies with Commission orders requiring customer identification, ten digit dialing, and emergency 911 automated access from customers of VRS. As such, the Commission should issue a finding that IWRelay be recognized as a certified provider of Relay and be authorized to directly receive reimbursement for such services from the federal TRS Fund. Respectfully, the Applicant offers the following brief narrative in presenting evidences of its commitment and capability in providing Relay Service.

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Introduction

IWRelay, Inc. is the Video Relay Service arm of InterWest Interpreting, Inc. (InterWest). InterWest has been providing quality Sign Language interpreting services in Utah and neighboring states for more than twenty-five years. The company is fortunate to have an exceptional reputation providing highly skilled, certified interpreters to accommodate Deaf and hearing people in a variety of interpreting settings. InterWest interpreters provided the first VRS interpreters when the industry was in its infancy.

In 2008, InterWest gave rise to a separate company, IWRelay, Inc. with the belief that it could extend its exceptional interpreting services to include offering its own customer-driven view of Video Relay and IP Relay Services. IWRelay's ownership is comprised of talented, experienced, Deaf and hearing individuals. By assembling a group consisting of experienced management, innovative technology providers, and superb interpreting talent, IWRelay forged a team that strives to offer the best Sign Language interpreting available anywhere. In opening its first call center, the Applicant forged the means to provide an environment where interpreters could thrive and enjoy the flexibility afforded by working in both the community and video relay fields sharing their commitment and talents with the Deaf consumers they serve. Later this year, IWRelay will commence its fourth year of providing Relay services to consumers.

Relay Services Description

It is the essential function of IWRelay to accommodate consumers with hearing and speech disabilities, who, in the course of their ordinary day, desire to place telephone calls. Employing video relay technology, interpreters interface with callers enabling them to accomplish their aims employing some combination of Sign Language, speech, speech reading or Sign Language supported speech.

The Applicant recognizes the significance of providing culturally appropriate services. The people the company serves consist of members of various cultural backgrounds. To provide effective service, it is essential that diversity is not only respected, but communication assistants (CAs) and Video Interpreters (VIs) must comprehend that cultural differences play an integral role in the communication process. IWRelay CAs and VIs foster confidence in the communication they facilitate by being culturally aware and sensitive to the situations they approach. Feelings of trust can be further nurtured by having service providers who shall always be neutral, impartial and unbiased. CAs and VIs shall not discriminate on the basis of gender, disability, race, color, national origin, age, socio-economic, educational status, or religious, political or sexual orientation.

Compliance Requirements

In the process of facilitating caller's communications, the Applicant asserts that it has been and will continue to comply with federal Minimum Mandatory Standards relating to operational, technical and functional capabilities for providing VRS to the public. Additionally, the Applicant asserts that it has been and will continue to comply with all specific non-waived Minimum Mandatory Standards for providing VRS to the public. Implementing technologies provided by existing, well known VRS service providers, IWRelay has redundant systems in place facilitating automatic call distribution among interpreters, high resolution audio and video quality, interoperability with other VRS provider-issued devices, auditable call data recording and reporting, record keeping procedures to track and report consumer feedback, and ten digit number protocols for distribution and validation that ties into automated Emergency 911 capabilities that pass the requisite data to the appropriate Public Safety Answering Point (PSAP).

Expanding Functional Equivalence with Innovation

Recognizing Congress' charge that telecommunication services provided to hearing and speech disabled individuals be functionally equivalent to telephone service provided to hearing individuals, the Applicant has demonstrated capability of offering expanding portable/mobile VRS technologies to address consumer's continued interest in and expectation of such services that approach this concept of functional equivalence.

IWRelay has been providing VRS and IP Relay using technology developed and maintained by existing technology providers to the industry as well as implementing its own technology solutions addressing internet based and mobile VRS solutions. The frequently updated platform offers skill based routing to Video Interpreters (VI) that automatically routes the next inbound call to the VI that has been available the longest. The implementation of the automatic call distribution system streamlines the routing of calls and reduces average speed of answer. Too, utilizing skill based routing, callers can be connected to their preference of interpreters of a particular gender or those with a certain language skill (Spanish speaking, for example). The system offers various management oversight and reporting capabilities addressing interpreter performance, average speed of answer, origin of call, call destination, billable conversation interval, overall call session time, and the like. This call record data is then scrutinized for anomalies and propriety prior to being submitted to the Fund Administrator.

Let it be further noted that with such current capabilities the Applicant affirms its commitment to continually innovate using technology to adapt to consumer demand and adopt policies and procedures to maintain ongoing compliance with the Fund Administrator's and Commission's evolving rules and expectations for VRS providers. It is the Applicant's understanding and expectation following the Orders that will grow out of the recent Notices of Inquiry. It is understood that the Commission will adopt

numerous changes to address the need to ensure that this vital program is effective, efficient, and sustainable in the future.

In keeping with the December, 2005 Commission's Report and Order on Reconsideration, the Commission extended to VRS providers the privilege of seeking certification to bill the TRS Fund. IWRelay hereby reaffirms its track record of compliance and commitment to continued compliance with the Mandatory Minimum Standards and in particular, the non-waived Mandatory Minimum Standards. The Commission's rule, §64.606.(a)(2), puts forth the requirements for certification requiring that the VRS/IP provider comply with the afore mentioned expectations. Service providers can and should be certified and authorized to be reimbursed by the TRS Fund. IWRelay hereby evidences that it is in compliance with the Commission's rules, meeting and exceeding the operational, technical and functional Mandatory Minimum Standards.

Description of Forms of Relay Services Provided

IWRelay has continued to provide Video Relay and text based IP Relay Service since 2008. Customers cite the chief reason for utilizing IWRelay as their provider of choice because of the consistent high quality of the Communication Assistants and Video Interpreters that the Applicant engages. In the case of VRS, the Applicant accesses an exceptional, experience workforce comprised only of certified interpreters. Quality interpreting begins with the screening process upon hiring. Candidates are screened for language proficiency (both signed and spoken), language certification(s), typing ability and familiarity with the culture of deafness. Once invited to work with the organization, interpreters spend the next week in training and observing, becoming familiar with the various aspects of the call center. The foundation of IWRelay's reputation and ability to maintain and exceed the required standards lies in the quality of the interpreters working with the Applicant. CAs and VIs are required to review the Applicant's Policies and Procedures Manual on a quarterly basis. The main thrust of the Manual addresses the non-waived Mandatory Minimal Standards outlined in the Commission's rules. This manual is updated not only with Commission Orders, but also with pertinent and timely publications pertaining to VRS and IP Relay. CAs and VIs represent in writing that they have reviewed the Manual and will uphold the expectations and Standards. This requirement is then reviewed in interviews with management twice each year. All candidates must be willing to adhere to the Code of Professional Conduct espoused by numerous state and national interpreter organizations. In addition to the certification requirements of interpreters to enroll and participate in ongoing continuing education, the Applicant provides quarterly training workshops. As an employment incentive, full-time interpreters are reimbursed for educational expenses upon completion of classes and workshops. Upon satisfactory completion of a certification upgrade, interpreters are reimbursed for all expenses they have incurred in the process.

Interoperability

The Applicant processes calls from consumers using various iterations of h.323 video technology currently on the market thus affording interoperability, transparently accommodating caller's preferences via the option of using any number of existing VRS devices and software. Consumers can also reach an IWRelay VI using iChat software, shipped on Apple computers. It is notable that IWRelay was the first provider to bring to market readily portable VRS capabilities for consumers desiring to use Apple iPods and iPhones and similar devices available with front facing cameras. The applicant continues to pursue the development and implementation of technology that will offer functional equivalence to consumers with hearing and speech disabilities.

Operational, Technical, and Functional Mandatory Minimum Standards

In recognition of previous expectations and requirements of providers and more significantly, in consideration of the numerous pending adjustments to and adaptations the Commission will require of service providers, the Applicant asserts that it has and will continue to have strict policies, procedures, and where applicable, technology in place in addressing and maintaining the following Operational, Technical and Functional Mandatory Minimum Standards and All Non-waived Mandatory Minimum Standards relating to:

Trained Communication Assistants (CAs) and Video Interpreters (VIs)

Provision and Use of Competent, Qualified, Skilled Interpreters

Communication Assistant (CA) and Video Interpreter (VI) Typing Proficiency

Expectations of CAs/VIs to Stay with Inbound Calls At Least Ten Minutes

Accommodating Users Requested CA/VI Gender

Transmitting Conversations Between TTY and Voice Callers in Real Time

Maintaining Confidentiality of Conversation Content and Caller Identification

Prohibition of CAs/VIs Intentionally Altering Relay Conversation

Capability of Handling All Call Types

Providing Service that is Free to Consumers

Providing Services Capable of Handling Pay-Per-Call Calls

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Text-to-Voice and Voice-to-Text, VCO, Two-line VCO, VCO-to-TTY, VCO-to-VCO, HCO, Two-line HCO, HCO-to-TTY, HCO-to-HCO

Offering Call Release, Speed Dialing, and Three-way Calling

CAs and VIs Alerting Users to the Presence of Recorded Messages and Interactive Menus

Providing Access to Answering Machine and Voice Mail Retrieval

Compliance with Providing an Advisory on Applicant's Website Addressing Numbering and E911 Services

Accommodating the Registration, Portability, Conservation and Provision of Ten Digit Numbering thus Providing Facilitation of E-911 or other Emergency Calls, Automatically Transferring Calls to Public Safety Answering Point (PSAP) via ANI or Pseudo-ANI to Wireline E911 Network; Including Providing Delivery to Local Emergency Authority or PSAP Name of Caller, Registered Caller Location, Location of Emergency, Relay Provider Name, Callback Number and CA/VI Identification number

Services Addressing Circumstances when an Emergency Call is Disconnected, Immediately Re-establishing Contact with the Caller and Emergency Services and Resumption of Call Handling

Obtaining from Consumers the Physical Location Where Services Will First and Subsequently be Utilized

Capability of Being Used From More Than One Location

Offering Consumers One or More Methods of Updating Registration Location at Will and in a Timely Manner

Ensuring Consumer Information Obtained is Limited to Facilitating 911 Services and Only Available to Emergency Call Handlers.

Offering (though waived) STS Users the Option to Maintain a List of Names and Telephone Numbers with STS Users

Capability of Communicating with ASCII and Baudot

Capability of Communicating with Text Messaging and e-Mail

Providing Efficient Access to Services

Answering Calls within Established Timeframes and Complying with Average Speed of Answer (ASA)

Accounting for Abandoned Calls in ASA

Measuring ASA Compliance Daily

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System Capability and Design to .01 Standard

Providing to Administrators Call Attempt Rates and Rates of Calls Blocked Between LEC and TRS

Providing Equal Access to Interexchange Carriers

Providing Users Access to their Chosen Interexchange Carrier

Operating 24 Hours per Day, Seven Days per Week

Maintaining Redundancy Features Including Uninterruptible Power

Passing Caller Identifying Information to the Public Network Consisting of the Number of the Call Center, 711 or the 10-Digit Number of the Caller

Maintaining a Log of Consumer Complaints Including the Date of Complaint, Nature of the Complaint, Date of Resolution, and Resolution

Submitting Log Summaries as Required and Submitting to the Commission a Contact Person for Consumer Suggestions, Information, and Complaints.

Consumer Suggestions, Information, and Complaints should be directed to:

James Harper, IWRelay, Inc., 779 N 1180 E, Orem, UT 84097 Jim@iwrelay.com

Submitting Contact Information:

Voice and TTY Telephone Numbers, Fax Number, e-mail Address and Web Address are:

Voice telephone: (801) 224-7683

Video number: (801) 316-6333

Fax Number: (866) 334-7697

E-mail Address: support@iwrelay.com

Web Address: www.iwrlay.com

Physical Address to Which Correspondence Should be Sent:

IWRelay, Inc., 104 W 12200 S, Draper, UT 84020

Informing Consumers of Availability of Services via Outreach Programs

Conveying Rate Information—Though Not Relevant as the Applicant's Services are Provided Free of Charge

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Notifying the Commission of Substantive Changes in Services and Provision

Complying with Requirements of Reporting, Archiving, and Filing of Annual Reports Evidencing Compliance

Complying with Mandates to Not Offer Inducement to Users with the Intent Inviting Artificial, Inflated Usage of Services

Usage of Multi-Lingual CAs/VIs—Though, Such is Not a Commission Mandate

Customer Premises Equipment—Note that Applicant Will Not Issue Such Equipment

Commitment to Conveying Service Delivery that is Consistent with Current and Ongoing Compliance Requirements Consistent with Commission Rules for Service Delivery

Conclusion

IWRelay has put forth considerable effort and expended tremendous energy and resources in evolving an organization that continues to grow and be a significant provider of VRS and IP Relay services. It is with great regard for the responsibility it has assumed that the Applicant respectfully approaches the Commission seeking certification eligibility in recognition of those efforts having achieved compliance with the stated Mandatory Minimum Standards. Award of the certification will further enable IWRelay to continue to carry out its commitment to the community it serves. The company exists as an extension of an existing interpreting company whose long held purpose has been to promote and deliver communication services and functional equivalence on par with those available to the majority of others in this country. Granting of such certification will provide the ability to reimburse the costs associated with the provision of these vital services.

Through demonstrating its commitment to compliance and through reliance on existing procedures, technology and by continuing to develop new technology, IWRelay reaffirms its obligation to maintain compliance with the Commission's Mandatory Minimum Standards, waived Standards, and Orders. IWRelay respectfully requests that the Commission find favor with this application and grant certification eligibility enabling direct compensation from the TRS Fund.